

**Amendments to the claims:**

1. (Currently amended) A method for creating a digital work having content and usage rights related to the content, the digital work being adapted to be used within a system having repositories for controlling use of content, the method comprising:

generating a label having usage rights associated with content of a digital work before the content is created, the usage rights specifying a type of use of the content that is enforceable by a repository;

electronically generating a license based on the label before the content is created;

issuing the license to a consumer before the content is created, the license entitling the consumer to access the content after the content is created;

associating the label with the content after the content is created; ~~and~~ ~~and~~;

securing the content and the label to thereby create a digital work having content that can be used only in accordance with the usage rights.

2. (Original) The method of claim 1, wherein said securing step comprises encrypting and storing the content and the label.

3. (Original) The method of claim 1, further comprising granting access to the content in accordance with the usage rights.

4. (Original) The method of claim 1, wherein said generating step comprises generating usage rights specifying a user's right to at least one of alter, edit, copy, print, or view the content.

5. (Original) The method of claim 1, further comprising the step of creating at least one of a written, aural, graphical, audio, pictorial or video based element as the content after said generating step and before said associating step.

6. (Original) The method of claim 1, wherein said generating step further comprises:

assigning a predetermined secure key to be associated with the content and wherein said securing step comprises encrypting the content and the label with the secure key.

7. (Original) A method of claim 5, wherein said creating step comprises recording content with a recording device and wherein said associating step and said securing step are accomplished by the recording device.

8. (Original) A method as recited in claim 7, wherein said generating step comprises creating the label in an external computing device and downloading the label into the recording device prior to said associating step.

9. (Original) A method as recited in claim 7, wherein said generating step comprises creating the label in the recording device prior to said associating step.

10. (Currently amended) A system for creating a digital work having content and usage rights, the system comprising:

a content creation device for creating a digital content; and

a rights assignment engine associated with the content ~~creative~~ creation device, the rights assignment engine automatically attaching predetermined usage rights to the content and securing the content with the usage rights, and receiving a label including the usage rights before the content is created, the usage rights specifying a type of use of the content that is enforceable by the content creation device;

wherein a license based on the label is generated before the content is created and is issued to a consumer before the content is created, the license entitling the consumer to access the content after the content is created, and

the rights assignment engine associates the label with the content after the content is created, and secures the content and the label to thereby create a digital work having content that can be used only in accordance with the usage rights.

11. (Currently amended) A system as recited in claim 10, further comprising:

an identification device for identifying user of the content creation device; ~~and and;~~  
means for determining the usage rights based on the user.

12. (Original) The system of claim 10 wherein said content creation device comprises one of a still-image camera, an audio recorder, or a video recorder.

13. (Currently amended) The system of claim 11, wherein the identification device comprises, a biometrics ~~sensor~~ sensor.

14. (Original) The system of claim 11, further comprising a secure storage medium for the storage of fee and payment information associated with the usage rights.

15. (Original) The system of claim 11, wherein said content creation device comprises a video recorder.

16. (Original) The system of claim 11, wherein said content creation device comprises a still picture camera.

17. (Currently amended) A method for creating a digital work having content and usage rights related to the content, the digital work being adapted to be used within a system having repositories for controlling use of content, the method comprising:

generating a label having usage rights associated ~~to be associated~~ with content of a digital work before the content is created, the usage rights specifying a type of use of the content that is enforceable by a repository;

storing the label in a content creation device ~~device~~;

electronically generating a license based on the label before the content is created;

issuing the license to a consumer before the content is created, the license entitling the consumer to access the content after the content is created;

creating the content with the content creation device;

associating the label with the content after the content is created; ~~and and;~~

securing the content and the label to thereby create a digital work having content that can be used only in accordance with the usage rights.

18. (Original) The method of claim 17, wherein said securing step comprises encrypting and storing the content and the label.

19. (Original) The method of claim 17, further comprising granting access to the content in accordance with the usage rights.

20. (Original) The method of claim 17, wherein said generating step comprises generating usage rights specifying a user's right to at least one of alter, edit, copy, print, or view the content.

21. (Original) The method of claim 17, wherein said creating step comprises creating at least one of a written, aural, graphical, audio, pictorial or video based element as the content.

22. (Original) The method of claim 17, wherein said generating step further comprises:

assigning a predetermined secure key to be associated with the content and wherein said securing step comprises encrypting the content and the label with the secure key.

23. (Original) A method of claim 22 wherein said creating step comprises making a recording with a recording device and wherein said associating step and said securing step are accomplished by the recording device.

24. (Original) A method as recited in claim 23, wherein said generating step comprises creating the label in a computing device and downloading the label into the recording device prior to said associating step.

25. (Original) A method as recited in claim 23, wherein said generating step comprises creating the label in the recording device prior to said associating step.